OFGS File No.: P/4923-9 V8019

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 5459

Gerry OUINN

Date: May 28, 2008

Serial No.: 10/613,570

Group Art Unit: 3635

Filed: July 3, 2003

Examiner: Gay Spahn

For: METHOD FOR CUTTING UNDERSEA PIPELINE TO LENGTH

## VIA EFS-WEB

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 28, 2007 of the Primary Examiner rejecting claims 1-26 after at least two prior rejections, 37 C.F.R. §41.31(a).

The Appeal Fee (\$510 - Non-Small Entity) is

- [X] Submitted via EFS-WEB
- [ ] Not required (fee paid in prior appeal)
- [ ] Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filling a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON May 28, 2008.

James A. Finder

Respectfully submitted.

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